Section 6 - Sample Provision Excerpt (Public Preview)

QUORUM
Fifty (50) property owner memberships shall constitute a quorum at any general or special meeting of the LPPOA. If no membership quorum is present at the time designated for such general or special meetings, such meetings may, on the motion of a Trustee, duly carried, be turned into a meeting of the Board of Trustees.
CHAPTER III: MEMBERSHIP

ISSUE #1

MARKUP #1 ->

MARKUP #1 · POTENTIAL ISSUE FOR REVIEW

BOARD & COUNSEL REVIEW

Sec. 6 (p. 3): Potential Issue for Review: Uploaded documents do not include a mandatory Alternative Dispute Resolution (ADR) procedure for housing-related disputes as required by N.J.S.A. 46:8B-14(k) and N.J.S.A. 45:22A-44(c) - look for this language in other governing documents, standalone board policies/resolutions, Rules & Regulations, or amendments that were not included in this review (and confirm any applicable statutory threshold).

Statutory / Legal Reference: N.J.S.A. 45:22A-21 et seq. (PREDFDA); N.J.S.A. 45:22A-44(c); Bell Tower Condo. Ass'n v. Haffert, 423 N.J. Super. 507 (App. Div. 2012)

Statutory Comparison: Under N.J.S.A. 46:8B-14(k) (Condominium Act) and N.J.S.A. 45:22A-44(c) (PREDFDA), every association must provide a fair and efficient procedure for the resolution of housing-related disputes between individual unit owners and the association (or between unit owners) as a readily available alternative to litigation, and offering impartial ADR is a condition precedent to imposing fines.

CURRENT WORDING IN DOCUMENT:
QUORUM Fifty (50) property owner memberships shall constitute a quorum at any general or special meeting of the LPPOA. If no membership quorum is present at the time designated for such general or special meetings, such meetings may, on the motion of a Trustee, duly carried, be turned into a meeting of the Board of Trustees. CHAPTER III: MEMBERSHIP

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):
First look for this language in other governing documents, standalone policies/resolutions, or amendments not included in this review. If not already addressed in another document (and if applicable to this community), incorporate: Pursuant to N.J.S.A. 46:8B-14(k) and N.J.S.A.